

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ANTHONY BAYAD ,

Plaintiff ,

JOHN CHAMBERS, PATRICIA
RUSSO, ANTHONY
SAVASTANO and CARL
WIESE,
Defendants ,

CIVIL ACTION

CASE NO. 04-cv-10468-PBS

HONORABLE DISTRICT JUDGE PATTI B. SARIS

**NOTICE OF RACIALLY MOTIVATED AUDIO CISCO E-MAIL TARGETING
THE MINORITY ARAB AMERICAN RACE AS PRO SE BAYAD & FILED
DOCKETED # 76 -WAS IGNORED BY THE MAGISTRATE JUDGE MARIANNA B.
B. BOWLER AND - MOTION TO ADMIT SUCH DISGRACEFUL -
HUMILIATING - RACIALLY MOTIVATED AUDIO AS ADMISSIBLE DIRECT
EVIDENCE AND IN SUPPORT TO MOTION OF TRIAL BY JURY
ACCORDINGLY TO THE 7 AMENDMENT OF THE U.S. CONSTITUTION**

1. MATTER TO BE REVIEWED/CONSIDERED/ADMITTED DOCKET No. 76

- A. RACIAL AUDIO DKT. 1 PAGE 21 LINE 110, EXHIBIT T ATTACHED
HERETO TO DOCKET No.1 & DOCKET No 76.

Statement of Bias from a top Executive(s) or Manager(s) in
the Corporate Hierarchy is enough to establish a Prima Facie
case of discrimination -that is to raise inference of
discrimination sufficient to shift the burden of explanation
onto defendants, who stated as quoted for their Email of
Correspondence the following:

Exhibit A attached hereto.

" Thank you for bringing this (Racial Email) to our attention. I agree with that such message are **not consistent with Cisco culture and is unacceptable**. I have asked David Campbell our HR director **to engage and recommend appropriate remedy**"

Hence Defendants burden of explanation was such racial audio Email targeting Arab Americans and American with speech disability to purposely humiliate, defame , and disgrace them, they have admitted that it was not consistent with Cisco Culture and is unacceptable, and such conduct is deja vue conduct of Ex Lucent Technologies Executives and now executives of Cisco Systems. Defendants in the above caption matter Carl Wiese and Tony Savastano their deja vue pattern of discrimination conducted once before during their employment at Lucent Technologies, where they wrongfully terminated Pro Se Bayad execution Gestapo abusive style, when also directed a Manager Mike Reed reporting to them, to sent an email expressing antipathy toward Foreigners and in particular toward Pro Se Bayad, used in it ethnic epithets to describe Pro Se Bayad, and the email (It is done) further express the hope that writer could make Pro Se Bayad look bad and have him terminated and the Email It is done is **attached as Exhibit B hereto.**

Now Comes the same Defendants Carl Wiese and Tony Savastano directed Bruce Bastian a Manager with Cisco Sales reporting to Vice President of Sales organization and Defendant in the above

caption matter, (Carl Wiese) directed Bruce Bastian a Cisco Manager **based out of North Carolina regions**, to sent such racial audio word perfect e-mail to **Florida Region Engineers** familiar with Pro Se Bayad situation with Defendants and the engineers are Mr. Amado Navas, dale Ronowski, and others , such audio racial email was made to notify Pro Se and to target him and to humiliate him of his inaptitude to verbalized or to speak the English Language properly and such Racial audio was only targeting Pro Se Bayad an Arab of Race, where he stated in it **England, Heathrow London airport and Arab natives speaking recording**. Such Discriminatory conduct was not a coincidence but an intentional act of racism and retaliation because Defendants Tony Savastano and Carl Wiese were aware of Pro Se Bayad, who traveled to United Arab Emirate Dubai and to London Heathrow Airport where he lost his Luggage and Cisco Finance Department was put in notice of such lost, because such trip is Business trip and the Cisco Finance department is run by obviously and Vice President Defendant Tony Savastano , Carl Wiese the Vice President of Sales who knew that Bayad was provided the Oral Contract for the Systems Engineer Position for the north African Region, where Pro se Speaks the language of France, English, Arabic, and North African Dialect Morocco, was denied such position on discriminatory ground by Defendants Tony Savastano and Carl Wiese as they have done at Lucent

mail contains Profanity Audio Email where he mention in it

ARAB(S) and ENGLAND HEATHROW AIRPORT state the following as quoted :







Exhibit C attached hereto as hard copy and soft copy of the audio email. (please open it with word perfect and click on icon that looks like speakers and please listen to it.

" We'd go and sit on the balcony at Terminal 3 at Heathrow Airport, directly under one of the PA speakers where we put a tape machine in a bag with the microphone poking out of the top. Then we'd look for a flight that had arrived in the last 40 minutes from somewhere where you'd expect people with unpronounceable names i.e. Saudi Arabia.

That Middle East, Prosie
We would then go to the Airport Help Desk with a prewritten note containing the names of fictitious passengers and ask them to read out the names over the PA system. *IS*

The passenger's names looked innocent enough on paper but they sounded like something else when read out loud.

From AFRICA Morocco ARAB RACE

Looks Like...	Sound	Reads Like...
Arheddis Varkenjaab and Aywellbe Fayed <i>ARAB NAMES</i>		I hate this fucking job, and I will be fired
Arjevbin Fayed and Bybeiev Rhibodie		I've just been fired, and bye-bye everybody
Aynayda Pizaqvick and Malexa Krost		I need a piss quick, and my legs are crossed
Awul Dasfilshabeda and Nowaynayda Zheet		Oo-ah, that 's better and now I need a shit
Makollig Jezvahted and Levdaroum DeBahzted		My colleague just farted, and left the room, the bastard
Steelaygot Maowenbach and Tuka Piziniztee		Still, I got my own back and took a piss in his tea

We got rumbled doing the "My colleague just, etc. " They actually threatened to arrest us as apparently they'd received complaints over the previous weeks!

The last one (Still, I got my own back...) was recorded at Gatwick airport which does not have such a good sound system, and is generally a much noisier place, so that's why it sounds crap!

Wherefore an obvious conduct of discrimination by these defendants Carl Wiese, directing such individual Bruce Bastian ' audio email to state and mention in it **ARAB and Heathrow Airport** , a strong proof that such email was orchestrated and produced by Defendants Tony Savastano and Carl Wiese, whom were aware the fact Pro Se Bayad traveled at **Cisco Expenses** to England it City of **London**, United **Arab** Emirate it City of Dubai, and France it city of **Paris** for the position of SE **North African** Region that was **denied** to him on discriminatory ground when he found his name posted by Tony Savastano the Defendant in the Cisco-No-Hire-List.

STATEMENT OF FACT

Defendants Have once directed other to Call Pro Se **Sand Niger** and **dirty Arab** and Pro Se Bayad has demonstrated that defendants had influenced and leveraged as the decision makers, and thus were not ordinary coworker, it is proper to input their discriminatory attitudes to the formal decision maker. Abramson v. William Paterson coll. 260 F. 3d 265, 285-86 (3rd Cir. 2001); and it is sufficient and proven these defendants were exhibiting discriminatory animus and influenced and participated in the decision to terminate, to humiliate, to harass, to interfere with Pro Se Federally Protected Civil Rights, and [a]n unfavorable employment decision resulting from inaccurate

discriminatorily motivated evaluation by these defendants ' violates the statue clause even though the decision makers as them were completely free of animus, and when Executives of Cisco and defendants places an accurate , discriminatory evaluation or defamation into Pro Se Bayad ' records , they intend to cause him harm, and [t]he employer Cisco employer as whole- cannot escape the statue clause liability simply because the final decision makers were not personally motivated by discrimination. 682 F. 2d at 977, and Cariglia v. Hertz Equip Rental Corp. 363 F.3.d 77 (**1st Cir. 2004**). Hence Pro Se Bayad demonstrated that it is sufficient that these executives and defendants Chambers et, al. were exhibiting discrimination animus and influenced and participated in those discriminatory actions against the law.

RELIEF REQUESTED

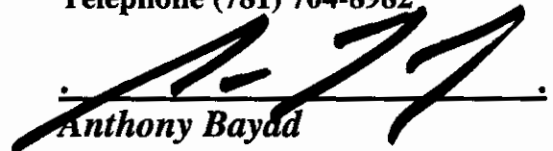
WHEREFORE, Pro Se Bayad prays that to the Honorable Court Provide him trial by Jury or as deemed and appropriate by the Honorable Trial Judge; and/or declare the defendants and their attorneys ' conduct to be in violation of his rights; and/or enjoin defendants from engaging in such discriminatory conduct; and/or award him back pay and benefits (with interest) that have accrued to date; and/or award him front pay until normal retirement age; and/or award him compensatory damages as stated in

the complaint for emotional distress, mental anguish, and loss of enjoyment of life, humiliation and the disparate treatment, and discrimination and false imprisonment he suffered at the hand of such defendants once commenced at Lucent Technologies Florida, International Services Florida, and ended now at Cisco Systems to present time 2005 to present. (any Jury will find such racial conduct outrageous)

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true and correct copy of SUCH **MOTION**, was furnished via U.S. mail to : Bruce E. Falby, BBO #544143, PIPER RUDNICK LLP, One International Place, Boston MA 02110, this 28 day of October 2005

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Anthony Bayad